

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

RAYMOND CASS BALLARD

Plaintiff,

v.

No. 1:18-2389 JDB-egb

DYER COUNTY, TENNESSEE, STEVE WALKER,
Individually and in his official capacity as Chancery
Court Clerk, and other unnamed unknown officials,

Defendants.

ORDER ON DEFENDANTS' MOTION TO STAY DISCOVERY

Defendants, Dyer County, Tennessee, and Steve Walker, have moved the Court to stay discovery in this matter until the Court rules on Defendants' pending motion for judgment on the pleadings. [D.E. 32].

In their motion for judgment on the pleadings, Defendants asserted that Defendant Walker, individually, is entitled to qualified immunity because Plaintiff cannot show that he suffered a constitutional deprivation. [See D.E. 32] When a defendant seeks dismissal on the basis of qualified immunity, a stay of discovery must be granted until the issue of immunity is resolved. *See e.g., Kennedy v. Cleveland*, 797 F.2d 297, 299–300 (6th Cir. 1986). Accordingly, the Court finds Defendants' motion well-taken and it is GRANTED. Therefore, discovery is stayed in this matter until the Court rules on Defendants' motion for judgment on the pleadings.

IT IS SO ORDERED this 20th day of February 2019.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE